

ORIGINAL

ORDINANCE NO. 1110

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF REDMOND AS ADOPTED BY SECTION 20C.10.030 OF THE REDMOND MUNICIPAL CODE AND COMMUNITY DEVELOPMENT GUIDE, HEARING EXAMINER FILE NO. ZMA-82-5, BY ESTABLISHING ZONING ON PROPERTY NEWLY ANNEXED TO THE CITY, COMMONLY KNOWN AS THE PATRONI II ANNEXATION, CITY FILE NO. A-82-5; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Hearing Examiner for the City of Redmond, Washington, conducted a public hearing upon the request of the City to establish zoning for territory recently annexed to the City, ZMA-82-5, commonly known as the Patroni II Annexation, A-82-5, and more particularly described hereinafter, and

WHEREAS, after the conclusion of said hearing the Hearing Examiner issued his written findings of fact, conclusions and recommendations that said territory be zoned Suburban Estate, three dwellings per acre (R-3), pursuant to Section 20C.10.110 of the Redmond Municipal Code and Community Development Guide, and

WHEREAS, at its meeting of February 15, 1983, the City Council considered the findings, conclusions and recommendations of the Hearing Examiner and determined that the property should be zoned Suburban Estate, three dwellings per acre (R-3), subject to the condition that a Planned Unit Development not be allowed, now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The Official Zoning Map adopted by Section 20C.10.030 of the Redmond Municipal Code and Community Development Guide is hereby amended to establish Suburban Estate, three dwellings per acre (R-3), zoning on property recently annexed to the City, commonly known as the Patroni II Annexation, A-82-5, and and more particularly

described on Exhibit A, attached hereto and incorporated herein by this reference as if set forth in full, conditioned upon execution by the property owners of a concomitant zoning agreement providing that a Planned Unit Development shall not be allowed on the property.

Section 2. The written findings and conclusions of the Hearing Examiner, File No. ZMA-82-5, are hereby adopted by the City Council as the basis for establishing zoning by this ordinance, together with the record of the City Council deliberation on this matter conducted on February 15, 1983.

Section 3. The Director of Planning and Community Development is hereby instructed to effectuate the changes to the official zoning map in accordance with Section 1 of this ordinance, upon execution of the concomitant zoning agreement.

Section 4. This ordinance shall be in full force and effect five (5) days after passage and publication by posting as provided by law.

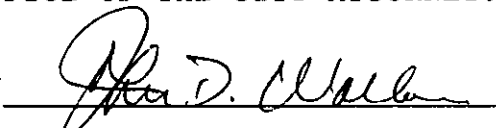
CITY OF REDMOND


MAYOR, CHRISTINE T. HIMES

ATTEST/AUTHENTICATED:


CITY CLERK, PAUL F. KUSAKABE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 

FILED WITH THE CITY CLERK:	March 9, 1983
PASSED BY THE CITY COUNCIL:	March 15, 1983
SIGNED BY THE MAYOR:	March 15, 1983
POSTED:	March 17, 1983
EFFECTIVE DATE:	March 22, 1983

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CITY OF REDMOND/PATRONI II CONCOMITANT ZONING AGREEMENT

WHEREAS, the City of Redmond, Washington, a non-charter optional municipal code city, incorporated under the laws of the State of Washington, hereinafter referred to as "the City," has authority to enact laws and enter into agreements to promote the public health, safety and welfare of its citizens and thereby control the use and development of property within its jurisdiction, and

WHEREAS, S. Joseph Patroni and Margret E. Patroni are the owners of certain real property located within the City of Redmond, which parties shall hereinafter be referred to as "Owners," have voluntarily agreed to enter into this concomitant agreement in order to induce the City of Redmond to establish Suburban Estate (R-3) as the zoning classification of said property which is legally described on Exhibit A attached hereto and incorporated herein as if set forth in full, now, therefore,

The parties hereby agree as follows:

1. In the event that the City of Redmond, Washington, finds that an ordinance classifying the zoning of said property Suburban Estate, three units per acre (R-3) is in the public interest and will promote the health, safety and general welfare of the residents of the City and adopts said

ordinance, then Owners agree that a Planned Unit Development shall not be allowed upon the property.

2. This agreement shall constitute a covenant running with Owners' land and shall be binding upon Owners, their heirs, successors and assigns, and shall be recorded at Owners' expense.

3. Nothing in this agreement shall be construed to restrict the authority of the City to exercise its police powers, nor to require the City to adopt the proposed zoning ordinance, nor to prohibit the City from initiating proceedings to rezone the property if changed conditions warrant such action.

4. The City may, at its discretion, maintain a lawsuit to compel specific performance of the terms and conditions of this agreement or to otherwise enforce its provisions, and, if the City prevails in such action, shall be entitled to recover all costs of enforcement, including reasonable

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attorneys' fees.

DATED this 15th day of March, 1983.

OWNERS:

S. Joseph Patroni
S. JOSEPH PATRONI

Margaret E. Patroni
MARGRET E. PATRONI

CITY OF REDMOND:

By Christine T. Himes
Christine T. Himes, Mayor

Approved as to form:

Office of the City Attorney

[Signature]

STATE OF WASHINGTON)
) : ss.
COUNTY OF KING)

On this day personally appeared before me S. JOSEPH PATRONI and MARGRET E. PATRONI, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 11th day of March, 1983.

Julie Script
NOTARY PUBLIC in and for the State of Washington, residing at Redmond

198011100661
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES 11/10/86

PATRONI ANNEXATION
 LEGAL DESCRIPTION
 April 9, 1982

Those portions of the east half of the southwest quarter of Section 31, Township 26 North, Range 6 East, W.M., in King County, Washington, as described in the following Parcels A, B and C:

PARCEL A

That portion of the south half of the northeast quarter of said southwest quarter of Section 31 lying westerly of the westerly margin of Avondale Road N.E. (formerly Redmond-Bear Creek Road).

EXCEPT that portion thereof described as follows: Beginning at the intersection of the north line of said south half with said westerly margin of Avondale Road N.E.; thence S. 6°15'14" E., 87.54 feet along said westerly margin to the TRUE POINT OF BEGINNING; thence continuing along said margin S. 6°15'44" E., 165.99 feet; thence west 226.35 feet; thence north 165 feet; thence east 208.27 feet to the true point of beginning.

PARCEL B

The easterly 417 feet of the northerly 208.50 feet as measured along the westerly right-of-way margin of Avondale Road N.E. (formerly Redmond-Bear Creek Road) of the southeast quarter of the southwest quarter of said Section 31, lying westerly of the westerly margin of said Avondale Road N.E.

PARCEL C

That portion of Avondale Road N.E. (formerly Redmond-Bear Creek Road), 60 feet wide, bounded northerly by the north line of the south half of the northeast quarter of said southwest quarter of Section 31, and bounded southerly by the north line of the south 373 feet of the southeast quarter of said southwest quarter.

RECORDED THIS DAY
 Nov 10 11 57 AM '83
 BY THE DIVISION OF
 RECORDS & ELECTIONS
 KING COUNTY